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UNITED STATES DISTRICT OF COURT
NORTHERN DISTRICT OF CALIFORNIA

HARRY LEMASTER and CAROLYN
LEMASTER,

Plaintiffs,

v.

ALLIS-CHALMERS CORPORATION
PRODUCT LIABILITY TRUST, et al

Defendants.

Case No. C 08-3316 PJH

**[PROPOSED] ORDER DENYING
PLAINTIFFS' MOTION FOR REMAND**

Date: September 17, 2008
Time: 9:00 a.m.
Dept.: 3, 17th Floor

Having considered the papers and arguments submitted in support, in opposition and in
reply to Plaintiff's Motion to Remand Case to the California Superior Court, County of San
Francisco, and good cause appearing:

IT IS HEREBY ORDERED that the Motion is DENIED and this case remains venued in
the United States District Court for the Northern District of California. Plaintiff's request for
attorneys' fees and costs pursuant to 28 U.S.C. section 1447(c) is DENIED.

Dated: _____

UNITED STATES DISTRICT